

Laura Lusiji
Senior Associate

Ground Floor, Cassia House, Westlands Office Park,
(Right next to ABSA HQ), Waiyaki Way, Nairobi.

P.O. Box 1612-00606, Sarit Centre, Nairobi, Kenya

T: +254 (0) 700 000 106, +254 (0) 20 434 3159

M: +254 (0) 702 391 302

E: ll@desaiadvocates.com



Personal Summary

Laura is an Advocate of the High Court of Kenya and a Fellow of the Chartered Institute of Arbitrators, with over 7 years' practice experience. Laura's professional career has a focus on disputes, to include, disputes avoidance and dispute resolution through courts and through alternative dispute resolution mechanisms.

Laura is vastly experienced in international arbitration matters. She has represented clients and sat as Tribunal Secretary in international arbitrations under the auspices of LCIA, DIFC-LCIA, UNCITRAL ad-hoc arbitrations and FOSFA international rules. She also offers training on international arbitration and other forms of alternative dispute resolution mechanisms. She was recently part of the JMiles Team that trained the Ethics and Anti-Corruption Commission in Kenya, on different forms of alternative dispute resolution mechanisms. She has also been called upon to speak on multiple aspects surrounding domestic and international arbitration at conferences.

Laura is involved in advisory work on a wide range of legal matters. Notably, she was part of the expert inter-governmental committee (in conjunction with the Business Registration Service of Kenya) that drafted the Companies (Beneficial Ownership Information) Regulations which were passed into law in 2020. She also conducted, on behalf of the London Stock Exchange and the Ministry of Energy and Petroleum in Kenya, a gap analysis comparing Kenyan legislation against internationally set standards on matters ESG.

Laura sits on the Law Society of Kenya's Alternative Dispute Resolution Committee (2022 – 2024), and was recently elected to serve as a member of the Law Society of Kenya's taskforce for policy and legal reforms. She is also the General Editor of the African Construction Law blog.

She currently sits as a member of the Board of Directors of the Nairobi Centre of International Arbitration.

Laura has a background in, and experience in corporate and commercial law, real estate and finance.

Qualifications

Fellow of the Chartered Institute of Arbitrators	2022
Admission as an Advocate of the High Court of Kenya	2016
Postgraduate Diploma in Law, Kenya School of Law	2014
Bachelor of Laws LL. B, Moi University	2013
Diploma in French, Level 1 - 4 Alliance Francaise	2008

Relevant Experience

Dispute Resolution

- Represented a Kenyan company dealing in telecommunication works, in settlement negotiations concerning a dispute against a leading telecommunications company, over fabrication and storage of telecommunication, worth over KES 120 million.
- Representing an Italian based company in settlement negotiations against a Kenyan based company, concerning breach of contract and non-payment of delivered goods amounting to EUR 200,000
- Acting as International Counsel for HNWI joined in proceedings in Jersey concerning distribution of assets held in offshore trusts
- Appointed Tribunal Secretary in an LCIA arbitration seated in London between a Ghanaian entity and a Mauritian entity, which related to a dispute involving breach of a loan agreement amounting to USD 10 million.
- Appointed Tribunal Secretary in an LCIA arbitration seated in London between a Dutch company and several Ugandan entities in a dispute which relates to breach of an investment agreement between the parties. The investment involves a power plant development in Uganda.
- Representing a company based in East Africa in a DIFC-LCIA arbitration seated in Dubai in a dispute which related to breach of a hotel management agreement. The subject matter of this dispute was a hotel based in East Africa.
- Representing a BVI based company in a DIFC-LCIA arbitration seated in Dubai in a dispute which related to breach of a shareholders' agreement.
- Representing a company based in East Africa in an UNCITRAL arbitration seated in London, in a dispute relating to the telecommunications industry, against a multinational company, worth over USD 50 million.
- Representing HNWI based in Kenya, in an LCIA arbitration seated in London, in a dispute surrounding

breach of a settlement agreement.

- Assisting in an international arbitration appeal made under the FOSFA International Rules involving an African FMCG company in a dispute worth approximately USD 4 Million.

Fraud and Asset Recovery

- Advising Kenyan regulators on a matter involving fraudulent activities by a Kenyan company listed in the Nairobi Securities Exchange (NSE).
- Acting for China Export and Credit Insurance Corporation, a major Chinese state-owned enterprise, in a series of cases, which involved conducting investigations into various companies based in East Africa that were involved in fraudulent shipment of goods into Kenya, Uganda and Tanzania.
- Advising an East African company on a suspected advance-fee fraud worth approximately €1 million, against a company based in the Marshall Islands.

Advisory work

- Advising a multinational construction company on strategy in respect of various claims against a Government parastatal, under the FIDIC Silver Book.
- Advising the London Stock Exchange (LSE) on the position under Kenyan law, as far as the Environmental, Social and Governance (ESG) international set standards are concerned.
- Training the Ethics and Anti-Corruption Commission, which is a public body in Kenya with a mandate to prevent and combat corruption, on the different forms of alternative dispute resolution mechanisms.
- Formed part of the committee that drafted the regulations on disclosure of beneficial ownership information, which regulations form part of the Companies Act of Kenya. These regulations came into force in 2020.
- Assisting in the advice of a multi-jurisdictional dispute over shareholders' rights representing a holding company incorporated in the British Virgin Islands in a joint venture involving mining concessions in the Republic of Guinea valued at approximately USD 1.4 billion.
- Advising private individuals in a family dispute concerning offshore trusts in Europe.
- Advising a major transport and logistics company in East Africa on corporate matters and employment dispute matters.

Property transactions

- Acting for clients on various property transactions including: preparing lease agreements; advising on a transaction involving the Sectional Properties Act, the Land Control Act and so forth; and preparing Tenancy Agreements

Recent Speaking Engagements

- Speaker at the ICC Kenya conference 2022 where she discussed matters surrounding disputes in construction projects
- Speaker in a panel discussing the realities of virtual ADR in the Covid 19 climate, at the inaugural ICC arbitration conference in Kenya.
- Discussed what businesses need to be aware of, on matters relating to international arbitration, at a webinar hosted by the British Chamber of Commerce Kenya.
- Speaker at the East Africa International Arbitration Conference that took place in Kigali and Nairobi in 2017 and 2019 respectively.
- Speaker at various stakeholder workshops organised by the Business Registration Services, which discussed the relevance of disclosure of beneficial ownership information by companies incorporated in Kenya.
- Speaker at an international arbitration seminar organised by ICC Kenya, for the Kenya Private Sector Alliance.
- Speaker at a conference organised by JMiles & Co., Anjarwalla & Khanna and ALN Academy which discussed the emerging realities of international arbitration in Africa

Recent Publications

- Co-authored a report in conjunction with Transparency International Kenya on an assessment of the legal framework in Kenya as far as it relates to the international standards on beneficial ownership transparency as set at the G20 summit in 2014 <https://tikenya.org/wp-content/uploads/2017/11/Beneficial-Ownership.pdf>
- Co-authored an article titled *Reputational loss arising from breach of a settlement agreement: are damages recoverable?* which was published by Lexology <https://www.lexology.com/library/detail.aspx?g=6939669c-f6c0-4652-b3f2-ad2c3d07b792>
- Co-authored an article titled *The landscape of international arbitration in Kenya*, which was published by Legal 500's The In-House Lawyer <https://www.inhouselawyer.co.uk/legal-briefing/the-landscape-of-international-arbitration-in-kenya/>

Positions Held



Senior Associate, Desai & Co.

February 2021 – Present

Senior Associate, JMiles & Co.

January 2021 - Present

Associate, JMiles & Co.

January 2016 – December 2020

Seconded at Aluko & Oyebode, Lagos, Nigeria

September 2016

Trainee Lawyer, Ogola & Mujera Advocates

June 2015 – December 2015

Legal Assistant, JMiles & Co.

December 2014 – May 2015